



Lamoine Board of Selectmen Minutes of September 8, 2005

Chairman Jo Cooper called the meeting to order at 7:03 PM

Present were: Selectmen Brett Jones, Josephine Cooper, Cynthia Donaldson, Perry Fowler; Administrative Assistant Stu Marckoon, Ted Nankervis, Wanda Jordan, Christa Brey, Dennis Ford, Gerald Ford, Kerry Galeaz, Steve Valteau, Bethany Hanson and Zeke Valteau

Agenda – Cynthia asked to add a mailbox to the end of the agenda.

Minutes of August 18, 2005 – Perry moved to approve the minutes as presented. Jo 2nd.
Vote in favor was 4-0.

Meeting with Nankervis Trucking re: Snow Plowing Contract – Wanda Jordan of Nankervis Trucking said they were having trouble again obtaining a performance bond, but they were trying. Perry asked if instead of buying a bond, would they consider working on a line of credit during the contract period with the town's guarantee of payment at the end of the contract period. He said that would save the cost of a bond, with the only cost being interest on the credit line. Jo asked what the advantage was to that. Perry said the performance bond is the town's insurance policy. He said if anything happened to Nankervis, it would be scary what the town would be liable to pay. A short discussion followed on what bad things could happen.

Perry said the arrangement during the last winter worked fine, but it negates the contract. A short discussion followed on how a credit line would work. Brett asked how much a performance bond costs. Ted Nankervis said about \$2,000. He said the state did away with performance bonds, and the Town of Hancock no longer requires one. Perry suggested amending the contract. Brett asked what would happen if Nankervis could not plow, and a short discussion followed on potential contract changes.

Jo asked if payment at the end of the month last year worked OK. Brett suggested adding language to the contract to ensure that someone else would take care of plowing if need be. Perry asked if Nankervis Trucking would be willing to re-sign a contract and letting the bond language exit. Mr. Nankervis said they would. Stu said he would draw up a new contract. Jo said she appreciated the job that Nankervis has done.

Parks Committee – Parks Committee chair Christa Brey said they've finalized some changes for the Parks Ordinance. Stu asked what those changes are. Committee member Kerry Galeaz outlined some of the potential changes, including adding the Marlboro

Beach Park in the heading, and the words “until further notice” in section 4-A. Mrs. Brey said that was done so the town could add more park areas without having to change the ordinance first. She mentioned the Anderson property as a possibility. Mrs. Brey said section 5-D adds rock removal and driving on the beach areas as regulated activity. Committee Member Steve Valteau said specifying that pets are to be on a leash was added. Brett suggested that no motorized vehicles be specified on the beaches. Dennis Ford said beach is not defined. Brett asked about bikes on the beaches. Mr. Galeaz said that was based on the definition of vehicles. Brett suggested that the definition be changed to motorized vehicles. Mr. Galeaz said they could exclude boat launching. Mr. Ford asked about horses being regulated. Mrs. Brey suggested language could be added requiring people to pick up after their pets.

Mrs. Brey said they would like to ban fires in Bloomfield Park. Mr. Ford said the hours of operation are not mentioned. Perry said the idea was to have something in place in case someone was causing real trouble at a park. He said the ordinance should be correct. Jo asked what the hours of operation are. Mr. Galeaz said they are sunrise to sunset at Bloomfield Park, and an hour before sunrise to 10:00 PM at Lamoine Beach and Marlboro Beach.

Mr. Ford said Lamoine and Marlboro Beaches are both located in the Maritime Activities District. He said if someone wanted to unload mussels there, that activity is grandfathered by state law. A short discussion followed on the Commercial Fisheries and Maritime Activities Zone. Mr. Ford offered to help with the changes.

Mrs. Brey said they’re proposing to rewrite the permitting process. A short discussion followed on the kayak operation at Lamoine Beach. Mrs. Brey asked about someone selling something in the parking lot. She said the kayak operator had been seen there every day for a week. Gerald Ford said the kayak operator was running a school there. Jo said that activity sounded fine, but asked what would happen if someone wanted to run a hotdog stand. A short discussion followed on possibly having a vending ordinance. Cynthia said that should be dealt with before it happens, and possibly having a separate ordinance.

Mrs. Brey said they felt there ought to be a fee for the permit. She said the only money in the budget is for maintenance. She said permits are for large functions, and the fee would be to remove excessive trash and the like. Brett said that seemed reasonable. Mrs. Brey said there are not that many functions at Lamoine Beach. Jo said the fees could go to a Parks Committee fund.

Dennis Ford suggested looking at other towns for fees and vending ordinances. Mrs. Brey said they wouldn’t charge for the Lamoine School to have a field trip to the beach, but what about the Bar Harbor YMCA. Brett asked if a field trip is an event, and a discussion followed about what constitutes an event. Cynthia said there should be some distinction between in-town and out of town things. Discussion followed on who would pay and who wouldn’t. Mrs. Brey asked if they would need a letter to other schools.

Mrs. Brey said they discussed having a run in memory of Bill Pinkham. Stu suggested they contact Robin Emery for help with that. Mr. Galeaz said they've also talked about having a town event next spring.

More discussion followed about having permit fee waivers and enforcement. Mr. Galeaz said there are a lot of great areas in town and a lot could happen, so the ordinance is designed to be a deterrent to that. Gerald Ford said the state parks have a carry-in/carry-out policy for trash.

Brett reminded the committee all changes have to go before the town meeting for approval. He suggested that it would be good to give a presentation at the town meeting.

Gerald Ford suggested requiring a peddler's license. Mr. Galeaz asked if unspent money from the parks budget could go into the parks fund. A short discussion followed on the budget process. Brett briefly discussed a possible donation from Home Depot. Mrs. Brey noted the Parks Committee meets next on September 21st.

Route 184 – Stu reported he received a call at home during vacation informing him that the MDOT plans for Route 184 had changed and encouraging him to lobby the Commissioner. He said he contacted Senator Damon and Representatives Crosthwaite and Bierman and got a response from Commissioner David Cole. He said he drafted a letter to the Commissioner asking about shoulders and expressing dismay about the Douglas Highway project. Jo said it should be two separate letters – one for the shoulders issue, the other for North Lamoine. A short discussion followed on the resurfacing plans.

Jo said Commissioner Cole is well aware of Lamoine. Brett asked how to ensure that a project for Route 184 gets into the state budget. Stu said he was told by MDOT workers that they plan to do that in the next round of funding.

Brett asked if the school has done any bicycle safety discussion. A short discussion followed. Cynthia suggested the letter about resurfacing should include language to request that Lamoine is included in future project funding. Stu said he would draft the letters tomorrow for signature.

PERC Advice – Brett said he was not comfortable with giving advice as he didn't really understand what the issue is. Jo said she would like to respond to the inquiry from Lee Yeaton. She said there are few alternatives to the PERC plant. She said she appreciated hearing from him and that he's making an effort to stay informed. Stu said he would communicate that to Mr. Yeaton by e-mail.

Enforcement Language – Building & Land Use Ordinance – Stu said he prepared a memo after researching other community ordinances on-line. He said Lamoine's ordinance is kind of wimpy. Jo said it needs clarification. Stu said the Selectmen asked what was available. He asked how they wish to proceed – whether the Selectmen or Planning Board or if he and CEO Ford could take the reins. Jo said if Stu and Dennis

were willing, that would give them something to start from. She said the Selectmen could then present that to the Planning Board. Stu said South Thomaston is a good comparison community. Perry said he liked the language in Southwest Harbor's ordinance.

Fire Department Painting Bid – Stu said Mary Harney has recently started a painting company and submitted two bids – one to clean the fire department walls, the other for the complete painting job. He said Ms. Harney is a fire department member and is interested in doing the work. Brett said the bid specs include painting the floor, and said that's an expensive part of the job. He asked if that could be removed from the bid. Jo said she would like to refer the bids to the fire chief. She said the chief came to the Selectmen with the request. A short discussion followed on the floor painting. Cynthia asked to be reminded of what the fire chief had wanted. Brett said it was preparation and painting. Cynthia asked if \$6,000 was thought to be reasonable. Jo said it's been several years since the project was approved. Brett said he was curious to know what the cost might be without the floors, and a short discussion followed. Stu said he would forward the bids to the fire chief.

County Budget Committee Delegate – Stu said the County Budget caucus is September 15th. A short discussion followed on what the county budget entails and the politics of the county budget committee. None of the Selectmen expressed interest in serving on that committee.

Expenditure Warrant 4 – Stu said the warrant covers a 3-week period, but there is only one school payroll due to a 27-pay period year. Brett asked if the parks budget rolls into the general fund. Stu said that was correct. Stu noted that he had purchased an automatic letter folder in anticipation of tax billing.

Cash & Budget Report – Stu noted excise taxes are strong, as several new registrations have come in recently. He said he wondered if it had to do with gas prices rising, but most of the vehicles seem to be larger, so they're more likely to do with dealer incentives.

Mileage Rate – Stu said the town rate is 32-cents/mile and the IRS rate is 40.5-cents/mile. He said CEO Ford had talked about cutting back to once a week inspections due to the fuel costs. Brett said the math looks reasonable for increasing the mileage reimbursement rate. Cynthia said it should be tied to what the state does. Stu asked who sets the state rate and a short discussion followed. Jo said she favors increasing the mileage reimbursement rate, but they need a basis. Perry said it should be the same as some other entity so the Board doesn't have to keep changing the policy all the time.

Adelphia/Time Warner – Stu said Shelley Winchenbach of Adelphia contacted him via e-mail and will meet at the end of the month. Selectmen signed a memo expressing thanks for the willingness to meet and encouraging a build-out in several areas of town.

MMA Voting Delegate – Selectmen appointed Stu as the voting delegate at the MMA annual convention.

Budget – A short discussion ensued about how the budget committee process will work. The budget committee meets on Monday, September 19th for its organizational meeting. Selectmen said they want to be a strong part of the budgeting process.

Flooring – Stu noted the wood floor is starting to flake apart in the meeting room. He said the last time it was sanded and painted the contractor said it would not withstand another sanding. Selectmen said carpeting would be a solution and encouraged Stu to contact flooring companies to find out about the cost.

Mailbox – Cynthia said a resident approached her about having the Post Office put a mailbox in Lamoine. She said she asked the postmaster who said it would be difficult but doable. She said mail theft from individual boxes has been a problem in the past. She said the town hall would be a possible location. She said the carrier would pick it up at 10AM. Perry said it would take some thought on placement. Brett said there is nothing to lose by asking the postmaster. Perry said the store might be interested. Stu said he would talk with the postmaster and compose a letter for the Selectmen.

Retirement – Brett said he wanted to discuss retirement options for town employees. He said the state Firefighters Association has talked about a retirement package. He said it might be nice if the town had access to some sort of program in which other employees might also benefit. Jo said it might be a matter worth investigating. Cynthia said she had some experience with retirement plans at agencies she had worked for, and there are people around who can educate the board. Brett said he wasn't necessarily interested in having the town match funding. Cynthia asked why it would go through the town. Brett said a retirement plan is usually through an employer. Stu said he would see what he could find out.

The next meeting for the Selectmen will be September 22, 2005.

There being no further business, the meeting adjourned at 9:00 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.